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CDPM

COMISSÃO PARA OS DIREITOS DO POVO MAUBERE

OPEN LETTER TO
THE HONOURABLE RICHARD HOLBROOKE
U.S. AMBASSADOR TO THE UNITED NATIONS

Dear Mr. Ambassador,

We wish to express our appreciation for all the effort that you, personally, have put into the initiatives undertaken on behalf of the US Government in relation to the question of East Timor. We are referring, specifically, to your statements on the plight of the refugees in West Timor, and the doubts you expressed about the trial of those responsible for "crimes against humanity" by an Indonesian tribunal. As you yourself have pointed out, the negative element in both cases is the role of the Indonesian Armed Forces, or at least an influential sector of them.

When you visited the refugee camps in November 1999, you said that if the situation had not changed within 4 to 6 weeks, we would "know that the wrong people are still controlling what happens inside the Indonesian military". Twelve weeks have passed since you made that statement.

On the same occasion, you brokered an agreement between the Indonesian military authorities responsible for the area, Generals Damiri and Syahnakri, and UNTAET, INTERFET and Falintil officials, which was intended to speed up the return of displaced people. Notwithstanding this agreement, the average number of returns fell from 2,000 per day in November to 225 in December.

As you know, approximately 120,000 'refugees' are still in West Timor, intimidated by militias that operate with the acquiescence of the Indonesian military. All attempts to separate the militias from the other 'refugees' have failed because local military authorities continue to support them. Recently, for the first time, a militia leader was arrested after international pressure increased following the discovery of mass graves containing the remains of dozens of civilians, believed to have been his victims. His arrest was only possible once the local military unit commander, Lieutenant-Colonel Mannurung, known for his close involvement with the militias, had been substituted.

Although there was also a change at regional military command level, General Damiri's substitute was General Syahnakri. Both these Generals have been cited in the Indonesian Commission of Inquiry's report as having been involved in the crimes perpetrated in East Timor last September. After his appointment, General Syahnakri publicly revealed his militia sympathies, referring to them as pro-integration "combatants", and justified the pressures they exert to prevent other 'refugees' from repatriating: "*if he is a pro-integration combatant, then he wants to prevent the remainder of the family from going back to East Timor*".

It is our belief that there can be no significant improvement to the situation until there is deployment throughout the region of military officers and units that are less implicated in the dirty war embarked on in East Timor.

Earlier this month, you said that if the Indonesian Government did not produce what the UN expected of it, you foresaw that pressure for an international tribunal would "continually and drastically increase". The

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UN Secretary-General echoed this concern when he said: "*if the response of the Indonesians were not deemed satisfactory, the Security Council could review the matter and apply its own inquiry*".

While welcoming these statements, we believe it is of the utmost importance that well-defined criteria be set out in advance to enable not only the Security Council, but also the Indonesian authorities and public opinion as well, to determine whether justice has, in fact, been done. We appeal to the US Administration to take all steps possible, in conjunction with the international community, to ensure that the dividing lines between justice and impunity are made absolutely clear.

We also welcome the selective pressure to bring about reform in the military institution, which the US Government is applying on the Indonesian Armed Forces, by continuing its suspension of military cooperation programmes and transfer of military technology. It is regrettable that European Union decided not to keep up similar pressure in the form of its arms embargo, and we have every hope that the US will continue to demonstrate consistency between its actions and principles.

Finally, we wish to convey to you our concern about the considerable delay in getting East Timor's reconstruction off the ground. When people are in dire need of just about everything, as they now are in East Timor, a long delay to the start of rebuilding is extremely hard for them to understand and endure. Not only does it aggravate their already immense suffering, but also it may give rise to discontent, agitation and social unrest. We appeal, therefore, to the US Government to use its good offices, particularly with the UN and international finance system, to speed up the process of releasing funds and getting reconstruction underway.

Yours sincerely,

Commission for the Rights of the Maubere People - CDPM